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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,674	09/12/2003	Tetsu Fukuda	03560.003364	7692
5514	7590	07/06/2007	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PARRA, OMAR S	
		ART UNIT	PAPER NUMBER	
		2623		
		MAIL DATE	DELIVERY MODE	
		07/06/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/660,674	FUKUDA ET AL.
	Examiner Omar Parra	Art Unit 2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 March 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 18-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 18-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>02/18/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 18-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. Claims 18-25 rejected under 35 U.S.C. 102(e) as being anticipated by Russ et al. (hereinafter 'Russ', Pub. No. 2004/0025179).

Regarding claims 18 and 22, Russ teaches a receiving apparatus (with respective method) comprising:

a receiving unit for receiving television broadcast content delivered with a television broadcast signal and program information related to the television broadcast content (222, Fig. 2; [0024] lines 9-24; [0037]);

a communicating unit connected to a network for receiving streaming broadcast content delivered via a network and program information related to the streaming broadcast content (HNI 290, Fig. 2. Movies, as well as other application data can be streamed from a Local PC to the receiver in conjunction with IPG data-[0051]-[0052]; [0058]); and

a screen generating unit for generating an integrated program guide screen in which a program guide related to the television broadcast content and a program guide related to the streaming broadcast content are integrated, based on the program

information received by the receiving unit and the program information received by the communicating unit (**IPG application 238 in conjunction with in-memory applications 245, 260, 231 and 261; [0034]-[0037]; [0046]; [0048]; [0055]-[0056];[0063]-[0064]; Figs. 12 and 15.**).

Regarding claims 19 and 23, Russ teaches a receiving apparatus (with respective method) wherein the screen generating changes a format of the program information related to the streaming broadcast content to a format corresponding to the format of the program information related to the television broadcast content, and generates the integrated program guide screen (**Given that IPG screens are created only with formatted data according to IPG stored data- [0046] lines 6-9, and that home network protocols are used for transmission –[0025]-[0031], it is inherent that for generating the IPG screen with the local network data received, it has to be transformed by at least taking the header or protocol part out of the information before being stored and further used).**

Regarding claims 20 and 24, Russ teaches a receiving apparatus (with respective method) wherein the screen generating unit generates the integrated program guide screen by defining a current time as a start time of the television program related to the streaming broadcast content, if the program information related to the streaming broadcast content does not contain the information of the start time ([0056]; **PC Movies and PC Calendars are located using current time, 7 AM).**

Regarding claims 21 and 25, Russ teaches a receiving apparatus further comprising:

a selecting unit for selecting an arbitrary broadcast content on the integrated program guide screen (**Remote control; [0057]-[0058]**); and
a controlling unit to display a screen of the broadcast content which is selected by the selecting unit (**Processor 210, Fig. 2; [032] lines 6-13**).

Claims 1-17 were cancelled by applicant without prejudice on Amendment submitted on 03/21/2007.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2623

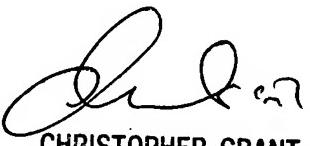
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Parra whose telephone number is 571-270-1449. The examiner can normally be reached on Under Academy Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OP



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